

## **§ 408.621**

### **§ 408.621 What is our order of preference in selecting a representative payee for you?**

We use the preference list in § 404.2021(a) of this chapter as a guide in selecting the proper representative payee for you.

### **§ 408.622 Who may not serve as a representative payee?**

For a list of individuals who may not serve as a representative payee, see § 404.2022 of this chapter.

### **§ 408.624 How do we investigate a representative payee applicant?**

Before selecting an individual or organization as your representative payee, we investigate him or her following the rules in § 404.2024 of this chapter.

### **§ 408.625 What information must a representative payee report to us?**

Your representative payee must report to us information as described in § 404.2025 of this chapter.

### **§ 408.630 How will we notify you when we decide you need a representative payee?**

(a) We notify you in writing of our determination to make representative payment. If you are legally incompetent, our written notice is sent to your legal guardian or legal representative. The notice explains that we have determined that representative payment is in your interest, and it provides the name of the representative payee we have selected. The notice:

(1) Contains language that is easily understandable to the reader.

(2) Identifies the person designated as your representative payee.

(3) Explains that you, your legal guardian, or your legal representative can appeal our determination that you need a representative payee.

(4) Explains that you, your legal guardian, or your legal representative can appeal our designation of a particular person to serve as representative payee.

(b) If you, your legal guardian, or your legal representative objects to representative payment or to the designated payee, you can file a formal appeal.

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### **§ 408.635 What are the responsibilities of your representative payee?**

For a list of your representative payee's responsibilities, see § 404.2035 of this chapter.

### **§ 408.640 How must your representative payee use your benefits?**

Your representative payee must use your benefits in accordance with the rules in § 404.2040 of this chapter.

### **§ 408.641 Who is liable if your representative payee misuses your benefits?**

For the rules we follow to determine who is liable for repayment of misused benefits, see § 404.2041 of this chapter.

### **§ 408.645 What must your representative payee do with unused benefits?**

If your representative payee has accumulated benefits for you, he or she must conserve or invest them as provided in § 404.2045 of this chapter.

### **§ 408.650 When will we select a new representative payee for you?**

We follow the rules in § 404.2050 of this chapter to determine when we will select a new representative payee for you.

### **§ 408.655 When will we stop making your payments to a representative payee?**

To determine when we will stop representative payment for you, we follow the rules in § 404.2055 of this chapter.

### **§ 408.660 What happens to your accumulated funds when your representative payee changes?**

For a description of what happens to your accumulated funds (including the interest earned on the funds) when we change your representative payee or when you begin receiving benefits directly, see § 404.2060 of this chapter.

### **§ 408.665 How does your representative payee account for the use of your SVB payments?**

Your representative payee must account for the use of your benefits. We require written reports from your representative payee at least once a year. We may verify how your representative